

WAYS AND MEANS

COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Ways and Means Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on Thursday, January 13, 2005.

MEMBERS PRESENT:

Legislator Peter O'Leary • Chairman

Legislator John Kennedy • Vice•Chairman

Legislator Daniel Losquadro

Legislator Ricardo Montano

Legislator Elie Mystal

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ALSO IN ATTENDANCE:

Mea Knapp • Counsel to the Legislature

Jim Spero • Director, Budget Review Office

Charles Gardner • Director of Consumer Affairs

Alexander Sullivan • Clerk's Office

Ben Zwirn • County Executive's Office

Bill Faulk • Aide to Presiding Officer

Warren Greene • Aide to Legislator Alden

Ed Hogan • Aide to Legislator Nowick

Frank Tassone • Aide to Majority Leader • Peter O'Leary

Pat Zielenski • Real Estate Division

Jacqueline Caputi • County Attorney

Maria Ammirati • Aide to Chairman O'Leary

Jose Labrador • Local 32BJ

Erika Gomez • Local 32 BJ

Luis Morales • Local 32 BJ

Maria Giocochea • Local 32 BJ

All other interested parties

MINUTES TAKEN BY:

Donna Catalano• Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 9:35 A.M.*)

CHAIRMAN O'LEARY:

Okay. Can I have your attention, please? I'm going to call the meeting of the Ways and Means Committee to order, and we'll begin the meeting with the Pledge of Allegiance led by Legislator Mystal.

SALUTATION

CHAIRMAN O'LEARY:

Please remain standing for a moment of silence for the victims of tsunami tragedy as well as all of those members of the military who on a daily basis give the ultimate sacrifice of their lives

over in Iraq.

MOMENT OF SILENCE

CHAIRMAN O'LEARY:

Thank you very much. Good morning, everyone. I only have one card here before me, Jim Daly, for the public portion.

MR. DALY:

Good morning. My name is James Daly, and I work in the Suffolk County Planning Department. I'm the Chief Deputy County Executive's designee to the Suffolk County GIS Committee, and as such, I'm also the Chairman of this committee.

I'm here today to talk about IR 2328•04, creating a GIS Advisory Committee. First, a little background. The GIS task force, which has been in existence for many years has struggled to gain support from the top level execs from the prior administration to recognize the need for their level of •• from their level to implement some form of oversight where policy and agreements can be reached by all those using GIS in the county. Well, this never did happen. And as a result, there has been a proliferation of hundreds of disparate data sets that we cannot really benefit from right now today.

Last January, this new administration recognized the importance and value of maximizing the potential of GIS technology here in Suffolk County, and that is why the County Executive introduced IR 1519 in May of 2004. This was to create the Suffolk County GIS Committee. Well,

we all know this bill did not make it out of this committee, but that didn't stop the administration from pursuing a good government initiative. That's why the County Executive put forth Executive Order 92•2004 to create this Suffolk County GIS Committee.

We had our first meeting last Monday, January 10th, and we have already begun our mission of making GIS technology available to every employee in a cost efficient matter so we can increase their efficiency and productivity. We've also begun the process of reaching our goals; to establish data standards and policies, begin an inventory of all County Department geospatially related data sets, and to survey all the departments for their GIS needs, also to establish data sharing agreements with local governments, federal and state agencies, to save data sharing costs. As you can see, we are underway, we're moving forward. To create a second type of GIS advisory committee, I feel at this point would be redundant, become confusing to the direction we want to take with GIS in Suffolk County and possibly be counterproductive. Thank you.

CHAIRMAN O'LEARY:

I have a question, Mr. Daly. What is your position on this resolution, are you in favor of it, do you support it?

MR. DALY:

At this point, I don't support it.

CHAIRMAN O'LEARY:

And the reasons?

MR. DALY:

And the reasons of which I stated. I think it would be counterproductive. It's not that it's not •• I think we all agree. And you have seen me here before talking about this under the former resolution, that •• and Mr. O'Leary, I believe you were in favor •• you liked the idea of the GIS becoming more usable by the County workforce, am I correct?

CHAIRMAN O'LEARY:

Yeah. I think it would be a productive step.

MR. DALY:

Okay. So what we were trying to do for the last nine months was put this committee in place. And because we had trouble getting it, like I said, out of committee •• we've decided that we really need this. And that to put another advisory board in •• sort of next to it, would make no sense at this point. We're already, like I said, moving forward.

CHAIRMAN O'LEARY:

Legislator Kennedy.

LEG. KENNEDY:

Mr. Daly, as you know, I'm the sponsor on this resolution, and I think the intentions basically that you articulated are one in the same. I know that from the background that I come from out

in the County Clerk's Office, I know that we have a large repository of data there that would be integral to an effective implementation of GIS. Over the course of the years, I also have worked with various GIS task forces, and I know the powerful potential of the tool, of the integrated tool, to various different County Departments and also to the community at large.

The intention, I think, with this resolution is very similar to what you've articulated, however, the ideal hopefully is to bring about all of the natural parties that have data that would be integral to an effective GIS system, including the Treasurer's Office and the Clerk's Office, Real Property and various other departments out there. Certainly, we want to see all department, I guess, working in concert and congruent and certainly eliminate a lot of the separate data bases that you referenced. I know that there are various different GIS components that are out there in different software formats that are incapable of talking to one another. So that's really what we're looking at here. I think the purposes are one in the same. It's certainly not an attempt to go ahead and set up an opposition group, and we would see, I believe, we would hope that we would ultimately be able to work together and work in concert. We, the two together.

MR. DALY:

The County Executive met with us on our first meeting, and his •• one of his great suggestions also was to bring in •• like you said, a seven member panel cannot fully represent every department in the County, we understand that. But what the County Executive also suggested is that we start to bring in those technical GIS people sort of to have their input. We want •• you know, we value every department's input with regards GIS, and we not exclude them by any means. As a matter of fact, that's part of our goal as a new committee, to do just that. So by no means will we exclude the Clerk's Office, the Treasurer's Office. I mean, we're going to work with every department, as a matter of fact, surveying all these departments to find out exactly what their GIS needs is one of our goals.

LEG. KENNEDY:

Again, what I would suggest to you is if you look at the makeup and composition of the resolution, by empowering a committee to go ahead and do this inventory, set up, if you will, a global plan for going forward and then make recommendations back to us here in the Legislature, I think it would give us the opportunity then to fully empower and fund the group so that we can implement this and bring some meaningful conclusion and assets to bear to make it happen.

MR. DALY:

Well, that's exactly one of our goals as well. On our last agenda was discussed the GIS needs assessment study that we feel should be •• a plan should be drafted up, we believe a plan in hand. When GIS first came into the County, and I'm sure Mr. Kennedy you were around when this started, there really wasn't any solid plan being handed to the Legislature. It was implemented, there was no oversight to GIS, it was said, okay, here's the money for the hardware, for the software, but what we fail to see is all the processes involved and the oversight needed to implement this hardware and software, this very expensive hardware and software.

So as a result, as you know through the years, these data sets were proliferated in many different formats and policies. The GIS task force was set up to try and bring that together, but under advisory capacity, they were not able to actually enforce any of these policies and standards. I feel that if another advisory panel is set up, what kind of power will an advisory panel have to enforce these policies and standards that the GIS task force wasn't able to accomplish over the last 15 or so years?

So this committee, we feel, will empower and come up with a plan, a GIS needs assessment plan, in other words, have a plan in hand to bring to you Legislators to say, hey, this is our plan, we want to do it, this is not some grandiose idea, this is exactly what we want to do. It's in print, this is the plan. We have had much work done on it, we were bringing in the consultants to do the work that's needed to come up with this very good plan. And I think if you see that

plan, I think both the County Executive will see that this is a •• this will be a good plan for GIS. And the direction for GIS in Suffolk County will be very sound.

LEG. KENNEDY:

It occurs to me that it sounds like each of us are saying some of the similar things, but I guess I'll go back to what the Chair just asked you before. What is the administration position on this resolution, 2328? Are •• is that what you are here to articulate?

MR. DALY:

Well, I can't speak for the administration or the County Executive. I'm here on behalf of the committee, and as the committee, I see this as •• and as Chairman of the committee, I see this as a redundancy. And again, I think it would be •• it would add confusion to our goals and our mission by setting up a second advisory committee to the GIS committee that's already in place and has already begun the process.

CHAIRMAN O'LEARY:

If I may, you are aware of an Executive Order that was placed up forming a committee with respect to this issue?

MR. DALY:

Yes, I am. 92•2004.

CHAIRMAN O'LEARY:

And I think in response to that was the introduction of this particular resolution which I think would preempt the formation of this particular committee.

MR. DALY:

I'm not sure.

CHAIRMAN O'LEARY:

Is it the make up of the committee that you're concerned with?

MR. DALY:

Of this bill, of Mr. Kennedy's bill?

CHAIRMAN O'LEARY:

No. Of the County Executive's committee that he formed under an Executive Order as opposed to Legislator Kennedy's resolution.

MR. DALY:

Am I concerned about the make up of the County Executive's ••

CHAIRMAN O'LEARY:

As compared to?

MR. DALY:

No. I have no concerns about the County Executive's •• as far as who the appointees are to this committee?

CHAIRMAN O'LEARY:

Yes.

MR. DALY:

Do I have any concerns about that?

CHAIRMAN O'LEARY:

Yes.

MR. DALY:

No, I do not.

CHAIRMAN O'LEARY:

How about Legislator Kennedy's resolution?

MR. DALY:

No, at this point, I don't.

CHAIRMAN O'LEARY:

Okay. Legislator Montano.

LEG. MONTANO:

Actually, I was going to ask what the composition of the task force was under the Executive Order. I'm going to withdraw my time. I was going to ask what the composition of the task force members are pursuant to the County Executive's Executive Order, but I've just been handed a copy, so I can discern that myself. Thank you.

CHAIRMAN O'LEARY:

Okay. Legislator Mystal.

LEG. MYSTAL:

Good morning. My question really is to the sponsor. Is there any way and the County Executive can get together and work this out? Because it seems to me that he's saying that your bill is redundant and there's already an Executive Order •• the County Executive did have the bill that was defeated, we never passed it. And we talked about it for over four months, four or five months ••

MR. DALY:

Nine.

LEG. MYSTAL:

Or nine months, and somehow, right after we defeated the County Executive, you come up with a bill. I feel like, you know •• I know that's not what you're doing, but it always happens like that, that the majority takes a bill that was put together by the minority party and then all of a sudden, it becomes a majority bill. The County Executive put the bill together, you guys defeated it. He put an Executive Order together for it, now you have a bill. I'm saying that, you know, is it possible instead of having two competing committees, and I don't think your bill will void the County Executive's Executive Order for the committee that he put together, is it possible that maybe you can work out the difference between this Legislature and the County Executive and have one committee?

LEG. KENNEDY:

Well, let me answer •• I guess, one thing I would say as far as the impact or the effect of the resolution, I turn to our Counsel to go ahead and talk about the effects would be there.

However, I will tell you that I've had discussing and dialog with the administration already. As a matter of fact, I have spoken to Mr. Zwirn, I have spoken Mr. Sabatino, and I'm spoken to Mr. Pollert as a matter of fact about ultimately what we're looking to achieve.

And finally what I guess I'll share with you is my interest and my reason for bringing the bill forward is very much parochial in that I'm looking at it from whence I came, which was very much involved directly in front line in implementing effective technology that utilized and made available, actually not only to County departments, visa vis our intranet, but to the world at large by internet, the Clerk's data including the indexing, land record instruments and things such as that. We worked extensively with Real Property as well. So, if you will, my interest, my reasons, coming forward is really from what I am, a nuts and bolts individual. And I see this as empowering those folks who've got the global perspective to kind of assemble the disparate software issues and then bring forward to us here in the Leg a meaningful plan that can go forward that we can all be behind to benefit the County at large.

LEG. MYSTAL:

I don't doubt •• Legislator, I don't doubt that's what you're trying to do. I have a very strong interest also in data bases in the County. I don't doubt what you're trying to do. It's very noble in trying to get everything in one place so we can have one major •• and have all of them talk to each other, which is the plan we've been having for the past •• since I've been around here, for the past 18 years. We've have disparate software, disparate machines and everything else like that.

What I'm trying to do right now is on the political side. You know, you have something and then they have something, and instead of going on into competing committees, maybe the differences could be worked out, you know, somehow. I think he is willing to work out any kind of differences, and I think the County Executive •• you know, Ben is here willing to work out any kind of differences between the two, the make up of the committee or if it's something else or •• and I do remember, you know, he did put something out, and we did not, you know, approve it.

You know, we putzed around about it, we talked about and, you know, discussed it to death, and it died.

CHAIRMAN O'LEARY:

If I may as the prerogative of the Chair. I was on Ways and Means last year as the Vice•Chair as you well know, and there was several questions that came up with respect to the function of this particular committee. And one of the problems that we had with it was the determination that as a result of the Executive Order issued by the County Executive that that committee would be setting policy, making applications for grants, which is something that is purview of this particular body. We're the ones who set policy with respect to County matters and County operations. And the applications of grants as well was another concern. It hasn't changed in his Executive Order.

I think based on the comments being made here today that perhaps some dialog should occur. We had asked for some input from the County Executive's Office in the previous session for purposes of trying to come to some sort of agreement with respect to the formation of this particular committee. So I'm going to leave it at that. It's still undecided as to •• as to what the make up should be. Legislator Kennedy has been more specific, and the role of this committee as well is something that is still up in the air and still not determined to be on point, if you will, as to the function of any committees formed within the County. And the two points I raised, setting policy and applications for grants are two of our concerns.

MR. DALY:

If I may respond to the policy and grants.

CHAIRMAN O'LEARY:

Sure.

MR. DALY:

I believe that the •• it's not the intention to take away from the Legislature their position on setting policy and applying for grants. What we •• the idea behind that and the reason it's in there is because we feel that GIS has been missing out on a lot of potential to grow due to the fact that we haven't been able to organize some sort of formal group that can say, hey, let's get this grant application. There's no coordinating body, so to speak to say, okay, listen, here goes an opportunity for some grant money that we are eligible as a GIS unit. This is national•state grant money that we're missing out on because we really have no lead contact agency or someone to say, hey, this is the official recognized GIS point source in the County.

If that was established, we would be able to go out and say, start the grant process rolling with •
• by all means working with the Legislature to achieve that grant money so that it's not just that committee taking precedent and establishing grants or how we get grants, but actually getting the ball rolling so that we can come to you and say, this is what we want to do on how to get the grant money. So I think it may be just matter of terminology in that Executive Order as to •• regards to grant funding and policy. And addressing the policy issue, again, more specifically related to the techies, if you will, in the County, how we set up our data policies is more to the point in regards to policies.

We feel that the GIS task force through the years was putting forth the policies, but because it was never any type of published policy or something that you could refer to either online or in a book, many of the silo GIS departments, the GIS shops, that have been very effective throughout the years have been operating to •• the best ways they can, but in doing so, there has been no one really tying that all together saying, okay, well, here's how we can leverage your data sets with someone else's. So that's where the policy end of it comes into, just trying

to get everybody that's working with GIS data sets on the same policy level, not so much to say, well, here's how you are going to run your GIS. This more along the lines of, please, you know, this is how we're establishing policy for data.

CHAIRMAN O'LEARY:

May I suggest to you that if you have a working relationship with the County Executive's Office and staff, that you relate to them our concerns about sitting down and reaching some sort of agreement. I'm sure the sponsor of the bill will be happy to do that. There are some concerns on our part about the formation of the committee and the functions of this particular committee as per the Executive Order. So I think what's warranted here is for you as perhaps the emissary to go back and tell •• I see Mr. Zwirn here, I don't know if he wants to speak on the issue, but to go back and basically say, there is a problem. We're looking to advance this concept, but we're looking to advance with the understanding that there's a clear understanding of the functions and responsibilities of the committee that's formed.

MR. DALY:

May I also follow up. I mentioned earlier, County Executive Levy was at our first meeting, and he had mentioned something to that effect. He said that he would be more than willing to work with Mr. Kennedy on his bill so that we can perhaps maybe form some sort of maybe a new bill if we were working together that would empower this GIS.

LEG. KENNEDY:

Certainly I appreciate those comments. I think with Mr. Zwirn at the table we ought to see if there's anything that he's got to add to the dialog here.

MR. ZWIRN:

Not as much as I thought I was going to add before. Mr. Daly has really eloquently states the County Exec's position. He has been down here a number of times talking about the issue. It's been •• we had to refile the bill because it expired in committee, and then •• I know Legislator Kennedy has just come on board, and this is something that he is interested in, he files a bill after the County Executive's bill has been on the table for a long time. And timing, if you had been here probably at the beginning of the year, we probably wouldn't be having this conversation today, and the GIS committee probably would be up and running.

Having said that, we would •• the County Executive has reached out and Legislator Kennedy has reached across the table back to try to •• if we can work something out, that we can do something jointly. I think Legislator Mystal's comments are will taken. And we all get to the same place. We don't see this as a partisan bill, as something that •• it's something that •• it really is a good government bill as Legislator Kennedy and Mr. Daly has suggested. If we can work together, I think that would be very productive. I know the County Executive's ready to do that. Otherwise, his position is that Legislator Kennedy's bill is redundant with the Executive Order in place. Having said that, he still would like to see if we can work something out.

CHAIRMAN O'LEARY:

With the understanding, of course, Mr. Zwirn that this body has •• or some members of this body have a problem with the Executive Order.

MR. ZWIRN:

I understand.

CHAIRMAN O'LEARY:

Okay. I think it's been pretty much laid out as to what •• what direction we're going to be going in with respect to this initiative. So thank you very much. I appreciate you coming here today again, Mr. Daly.

MR. DALY:

Thank you.

CHAIRMAN O'LEARY:

I have four cards here under the public portion, but also on the agenda, and I believe all four cards are related to the same issue. So what I'm going to do •• unless there's anybody else under the public portion wishing to make a statement? Hearing none, what I'm going to do I'm going to move to the part of the agenda where there's discussion and presentation. There is a Brian Honan. Is he here, Brian Honan. Okay. Brian Honan of Local 32BJ regarding the national campaign of justice for janitors. Mr. Honan, did you wish to make a statement, or did you just want to defer to the cards that have been filled out.

MR. HONAN:

Defer to the cards.

CHAIRMAN O'LEARY:

Okay. First card is Erika Rossi Gomez.

MS. GOMEZ:

Good morning, Legislators.

CHAIRMAN O'LEARY:

Good morning. Before you start, I just want to point out that there is a Sense Resolution before us today introduced by Legislator Lindsay, which addresses this issue that we are going to be discussing right now.

MS. GOMEZ:

Thank you. I appreciate it. I'd like to thank you, Chairman O'Leary, for allowing me to speak. Also Legislator Bishop for introducing •• Bishop and Lindsay for introducing this resolution. My name is Erika Bozzi Gomez. I'm the campaign coordinator for SEIU, local 32BJ, and we represent all of the building service workers in the Tri•State including office cleaners, also known as janitors.

We are here today to thank and encourage you to vote and pass the resolution so it can come to the floor and to thank you for your support on the Justice for Janitors Campaign, which actually started 20 years ago in Denver, to lift the standards of office cleaners throughout the country. Since the campaign has been started, over 100,000 office cleaners who were making substandard wages have now been able to lift themselves out of poverty and have been successful and be in more •• have more time with family, in their communities and so forth.

We are going to have four or five different speakers today, but I think what we'll so is we'll just cut it down so that you can get a sense of who these workers are here on Long Island and here in Suffolk County and to two other speakers. One speaker who will directly benefit from your

support because he is not •• he is not part of the standard on Long Island. The Living Wage that you guys have passed is very similar to this standards throughout Long Island. And the other office cleaner who is benefitting already from Living Wage, from the standard in Long Island.

A key point that I'd like to point out in terms of this resolution is that it's addressed specifically to the building owners in Long Island. And this is an important factor, because building owners on Long Island •• or economy right now in Long Island is one of the healthiest real estate markets in the country. And they are ultimately the people who can really benefit and change the circumstances of people, hundreds of janitors here on Long Island and make sure that people are not working full time, sometimes two and three jobs and still having to rely for benefits and health from the County. So having said that, I'd like to thank you again, Legislator Lindsay, and all you. The two speakers who will be coming will be cleaners who work and live here in Suffolk County. Thank you.

CHAIRMAN O'LEARY:

Thank you. Our next speaker Jose Labrador.

MR. LABRADOR:

I thank everybody. My name is Jose Labrador. I come over here to, you know, to know listen what the people say and everything and try to tell you I've been working over here for seven years and I get in •• trying to get •• my wages is 6.50 an hour. And me and my wife came to here live in a place where, you know, the way the raise goes on. That's about it. You know. What's going on is all around. I don't speak too much English, but you know.

CHAIRMAN O'LEARY:

That's quite all right, sir. We understand your situation and your plight and will be supportive of that to the state.

MR. LABRADOR:

I thank everybody, you guys and everything.

CHAIRMAN O'LEARY:

Okay. Thank you very much. Next speaker is Luis and Maria Morales.

AUDIENCE MEMBER:

I will translate for them.

CHAIRMAN O'LEARY:

Okay.

(*THE FOLLOWING TESTIMONY WAS GIVEN THROUGH AN INTERPRETER*)

MR. MORALES:

Good morning. My name is Luis Morales, and I'm one of the 1000 members of 32 BJ.

MS. GIOCOCHEA:

Good morning. My name is Maria Giocochea. I'm also a 32 BJ member.

MR. MORALES:

We are asking your support for our campaign, Justice for Janitors. Since we joined 32 BJ, our life has improved. We now have a fair salary and benefits that we didn't have before. Our job is mopping, dusting, vacuum and cleaning, and it's a very hard job. And I'm very proud I can do • • my ability to do it right. As 32 BJ member, I receive training, and now I get a decent salary. And now we have job security for us and our families.

In Long Island, we clean some of the most valuable buildings in the nation. And we have a very valuable service, and we contribute to the economy. That's why all the janitors, union or nonunion, should be treated preferably, and they deserve decent treatment. We came to this country pursuing a dream, and sometime that dream become a nightmare, and that's not fair, because we came to this country to contribute. And we deserve fair treatment for us and our families. That's all I have to say. Thanks for your attention and your support.

CHAIRMAN O'LEARY:

Thank you very much. Okay. Thank you. I was wondering if the lady was going to say a few words. That's okay. That's all right. She doesn't have to. We got the message. The fourth card I had, it might be the same individual who was already up, Jose Labrador. Mr. Labrador, did you fill out two cards?

MR. LABRADOR:

No.

CHAIRMAN O'LEARY:

There's another Jose Labrador?

MS. GOMEZ:

No, same one.

CHAIRMAN O'LEARY:

Okay. I don't have any more cards on this issue, but I'm going to ask Legislator Lindsay to comment on the purpose of the Sense, and perhaps we can take it out of order so the people who are here can get back to their business of the day. Legislator Lindsay.

LEG. LINDSAY:

Thank you very much, Mr. Chairman. The purpose of this Sense Resolution is really to private industry on Long Island, it isn't really a Government function. And it simply says that as a body in Suffolk County Government, that we support fair wages, fringe benefits for the people that work in our county.

And at first blush it might appear that it does not have anything to do with local government, but it really does, because if the private industry meets the same standards that this Legislature established in our Living Wage Law, we would certainly have a lot less people looking for benefits from Social Services, whether it be Medicaid or housing supplements or anything else. What we're simply asking is for the private industry to step up to the plate and do the right thing and pay people a decent wage.

And what didn't come out in the testimony is that the main target of this Sense Resolution is the

real estate industry. And what was eluded to in the presentation, but wasn't quantified is that the rents that some of our real estate owners charge are among some of the highest in the country. I think we are right behind New York City in terms of office rental space. And yet, you know, a lot of these people are not paid a decent wage and don't have any benefits. And ultimately, that falls down back to government to subsidize these people. So we're just asking private industry to step up to the plate and do the right thing here.

CHAIRMAN O'LEARY:

Legislator Losquadro.

LEG. LOSQUADRO:

I was just going to make a motion to take this bill out of order.

CHAIRMAN O'LEARY:

Seconded by Legislator Mystal. On the question of that motion to take Sense Resolution 81 out of order? Hearing none, all those in favor? Opposed? Abstain? Sense 81 is before us now.

S. 81. Sense of the Legislature resolution in support of fair wages for commercial office cleaners. (LINDSAY).

CHAIRMAN O'LEARY:

Is there a motion to approve?

LEG. LOSQUADRO:

I'll make that motion, Mr. Chairman, and if the Clerk could list me as a cosponsor.

CHAIRMAN O'LEARY:

There's a motion by Legislator Losquadro, seconded by Legislator

Mystal ••

LEG. MYSTAL:

Cosponsor.

CHAIRMAN O'LEARY:

•• to approve Sense Resolution 81. On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions? Sense 81 is **approved. (VOTE:5•0•0•0)**

Thank you very much for coming here today, I appreciate it.

PUBLIC HEARING

PH IR 2222 • 04. Local law to authorize conveyance of development rights to Starlight Properties. (O'LEARY).

CHAIRMAN O'LEARY:

We have a public hearing scheduled today. Is there anyone here to speak on IR 2222? I have •
• with respect to 2222, I have a card that was filled by a Janet Goltz, who I presume is in attendance. Is Ms. Goltz here, Janet Goltz, who has asked not to speak on this issue, but would want the various articles that have been published, I guess, in Newsday, Newsday articles over the years with respect to this particular property, issued to members of the Ways and Means Committee, and we have done that, Ms. Goltz.

So hearing no speakers on 2222, I just want •• as the sponsor of the resolution, I want to make a comment with respect to the status of this particular issue. I've had several meetings with town officials, and clearly, there is an issue with respect to the designation of this safety buffer zone as a nature preserve. There are a lot of questions that will be coming up in the future. I'm aware of the fact that the town is an addressing issue of an application on the part of the owner for subdivision with respect to these properties. And in the very near future, I as the sponsor, will make a decision whether or not because of our Six Month Rule I'll be either withdrawing this and waiting for the town to satisfy their concerns with respect to the application made or •• and then, if I do so, to revisit this issue at a later date. So for one cycle I'm going to ask to recess the public hearing as well. I'll make a motion to that affect.

LEG. LOSQUADRO:

Second.

CHAIRMAN O'LEARY:

Seconded by Legislator Losquadro. On the question of the motion to recess? Hearing none, all those in favor? Opposed? Abstentions? The public hearing is **Recessed** to our next committee meeting, I believe, in February. **(VOTE:5•0•0•0)**

Okay. There are no other speakers to come before us. We will then go to the agenda. I just wanted to comment before we go on the agenda, as the new Chair of Ways and Means, I'm going to make every attempt and effort to try to expedite this process. I know it's a very time consuming committee, and oftentimes the presentations given as well as the dialog that results by the committee members with respect to issues here as presented to us is often very time consuming. And in light of the fact that, we're allotted two hours for our •• for our committee to take place from 9:30 to 11:30, it will be one of my priorities during the course of the year to try to move this committee along just as expeditiously as possible. So with that in mind, we will go to the agenda.

Tabled resolution

1986•04. Authorizing legal action against the Long Island Convention and Visitors Bureau. (CARACCIOLO)

CHAIRMAN O'LEARY:

I have a request from the sponsor to table this bill, seconded by Legislator Losquadro. On the question of the motion to table? Hearing none, all those in favor? Opposed? Abstain? **Tabled.** **(VOTE:5•0•0•0)**

2085•04. Adopting Local Law No •• 2004, a Charter Law to transfer print shop from

**county Department of Human Resources, Civil Service and Personnel to County
Department of Public Works. (COUNTY EXEC)**

LEG. MYSTAL:

On the motion.

CHAIRMAN O'LEARY:

On the motion, Legislator Mystal. Well, is there a motion. What's the motion?

LEG. MYSTAL:

Motion to table.

CHAIRMAN O'LEARY:

Motion to table 2085 by Legislator Mystal, seconded by myself. On the motion, Legislator Mystal.

LEG. MYSTAL:

Anybody know what the problem is with this resolution?

CHAIRMAN O'LEARY:

No, I do not. Mr. Zwirn?

MS. CAPUTI:

We're just trying to conform the Charter to the budget.

LEG. LOSQUADRO:

Can you use the microphone?

MS. CAPUTI:

Rather than have the print shop under the jurisdiction of Civil Service Department as it is currently under the Charter, it would be transferred to the Department of Public Works.

LEG. MYSTAL:

Which is the way it was before.

MS. CAPUTI:

I believe so.

LEG. MYSTAL:

For years, since I came here. Now, what is the problem on our side, anybody know?

CHAIRMAN O'LEARY:

Whose side is that?

LEG. MYSTAL:

On the Legislative side, not the political line side. The Legislative side.

CHAIRMAN O'LEARY:

Let me just state that I do not know what the hold up is, and hopefully before the next committee meeting, the matter will be brought to our attention to resolve one way or the other. But in the mean time, there is a tabling motion for 2085. I would ask Mr. Zwirn to •• perhaps we will sit down, discuss this, just what the reasoning was for holding this up in. All right. Committee thank you very much.

MS. CAPUTI:

Mr. Chairman, if I could just say too, I didn't put in a notice to you, but I'd like to also address the committee when you get to 2293 in related resolution. So if you could just give me a minute when you get to those on the agenda, I'd appreciate it.

CHAIRMAN O'LEARY:

Okay. When we get to that, you can speak on it.

MS. CAPUTI:

Thank you.

CHAIRMAN O'LEARY:

All right. Let's move on 2085. There's a motion to table by Legislator Mystal, seconded by myself. On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0)**

Sandy, with respect to the public hearing, I was remiss in not asking if all the proper filings were in order and notifications.

MS. SULLIVAN:

Notification •• affidavit of publication is in order. You skipped a resolution, 2019.

CHAIRMAN O'LEARY:

It was withdrawn.

MS. SULLIVAN:

Oh, it was withdrawn? Sorry.

CHAIRMAN O'LEARY:

I believe 2019 has been withdrawn.

2222•04. Local law to authorize conveyance of development rights to Starlight Properties. (O'LEARY).

CHAIRMAN O'LEARY:

I make a motion to table, seconded by Legislator Kennedy. On the question of the motion to table? Hearing none, all those in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0).**

INTRODUCTORY RESOLUTIONS

2291•04. Authorizing certain technical corrections to Resolution No. 1020•2004. (CARACAPPA)

LEG. LOSQUADRO:

Motion.

CHAIRMAN O'LEARY:

Counsel.

MS. KNAPP:

This technical correction changes the omnibus resolution that included \$20,000 for the retreat and \$10,000 for vibes. The agencies were incorrectly named. It also changes pseudo codes from PRO to DSS, and it appears to be just a change in corporate names.

CHAIRMAN O'LEARY:

Okay. Any questions on that? There's a motion to approve by Legislator Losquadro, seconded by myself. Hearing no questions, all those in favor? Opposed? Abstentions? **Approved.**
(VOTE:5•0•0•0)

CHAIRMAN O'LEARY:

We have before us on the agenda 14 •• there's 14 separate resolutions involving the transfer of surplus County computers to various entities. And what I'll do is I'll move to those particular resolutions now and then have Real Estate come up after we address •• okay.

2292•04. Authorizing the sale of County•owned real estate pursuant to Section 215, New York state County Law to Donald P. Joly. (ALDEN)

CHAIRMAN O'LEARY:

We'll address 2292. Is there a motion to approve?

LEG. LOSQUADRO:

Yeah.

CHAIRMAN O'LEARY:

By Losquadro, seconded by myself. On the question of the motion? Hearing none, all in favor? Opposed? Abstentions? **Approved. (VOTE:5•0•0•0).**

CHAIRMAN O'LEARY:

All right. The issue involving the transfer of the surplus computers, county computers, to various entities, we have 14 resolutions before us. You may speak on that issue now.

MS. CAPUTI:

The Law Department wanted to bring to your attention certain concerns that we have with these resolution. Generally, they are deficient because the resolutions state that the computers have been declared to be surplus, by it doesn't state by whom. And it makes a reference to the County Clerk's Office, but •• and then it just says that the computers have been declared to be surplus, and it refers to Section C•4 •• 8•4 C. of the Charter. But the Charter •• that section

gives the Division of Purchasing the authority to declare property surplus. There's no provision about the Comptroller in any of the Code provisions concerning transfer of surplus property, yet this resolution grants to the Comptroller the authority to transfer the property. So we feel that the resolutions are improper in form and need to be revised before you can move forward on these transfers.

LEG. MYSTAL:

Mr. Chairman.

CHAIRMAN O'LEARY:

Legislator Mystal.

LEG. MYSTAL:

I'm going to take a stab at it. I'm going to start the new year in a very nice way, Jackie. This is exactly the kind of •• the word I'm going to use, I can't use, unfortunately •• BS that gets us into serious conflicts with the County Executive and his Law Department. We have been transferring computers for agencies for umpteen years. And our Counsel who used to sit here, never found problems with them. All of a sudden now, and I don't have any, I want you to understand, I don't have any stake in this, I'm not transferring any of the computers, so I'm not talking as to I have anything at stake in here. But here we go again.

This is something simple, they're junk computers, nobody wants them, we cannot do anything with them. And all of a sudden, we have a problem with transferring computers from us to agencies. And now it's a systematic one; who and who designs and who declares that they're surplus. I can guarantee you, Ms. Caputi, okay, this is something simple, okay? I'm just talking

straight politics to you, because you are a good Democrat and so am I. I can guarantee you, you open that little can of worms over some stupid, obsolete computers, it's going to come back to haunt you and bat you in your •• can't say that word •• in your gluteus, over something that is important that you may want.

And this is the kind of thing •• the kind problem we're having with the administration. It is not over big policy matters, it's over BS like this; surplus computers, which are surplus, which are obsolete, which nobody wants, we cannot get any money for it anywhere. And all of a sudden, this Legislature wants to do something for their district, and you come up •• and it's not you, I know it's not you, Ms. Caputi. I know it's not you. I'm just loading you up so you can take it back.

MS. CAPUTI:

I will. I'll hold to my comment.

LEG. MYSTAL:

It's not you. But what's happening, now, all of a sudden, we have to revise, relook. It's like •• I know Ben is here, it's not Ben either. I am a going to shut up, because this is getting to me. I'd hoped that somehow we would start the new year, not pick up this petty fight which are nonsense and really doesn't mean anything. And here you are, we've got 14 of them, and according to you, all 14 of them are deficient.

MS. CAPUTI:

Well, the resolutions which I did look at which I believe were 2293 and 94. But I'll certainly relay your comments to both the County Attorney and ••

LEG. MYSTAL:

I will relay them myself, so don't worry about that. I just wanted to let you know.

MS. CAPUTI:

You can speak well for yourself.

LEG. MYSTAL:

Okay.

CHAIRMAN O'LEARY:

Thank you, Legislator Mystal, for your kind supportive comments.

MS. CAPUTI:

Does anybody else have any questions?

CHAIRMAN O'LEARY:

Yes, I have one. Perhaps if you are into the process of being a messenger, perhaps you can relay back to whomever the source of these idiosyncrasies are with respect to minutia that it's very likely that these resolutions are going to receive the support of this body, and it's going to go before the County Executive. If he's inclined to veto this, so be it. But I think they ought to take that into consideration. It would be, certainly, a negative on his part if that occurred. But at any rate, that's something that will have to be addressed at a later date. And we are addressing internally with respect to various issues that come over from your office, but there's a sense that it's prompted by others.

MS. CAPUTI:

I also apologize for not putting that on fax to you yesterday, but I didn't realize that it was going to be a subject at today's meeting. Thank you very much.

CHAIRMAN O'LEARY:

All right. So that finishes your comments with respect to the resolution with respect to surplus computers?

MS. CAPUTI:

Yes. Absolutely.

CHAIRMAN O'LEARY:

Okay. Thank you very much.

2293 • 2004. Authorizing the transfer of six surplus County Computers to

Word of Life Ministries. (CARACCIOLO).

CHAIRMAN O'LEARY:

We have 2293 before us. As the prerogative of the Chair, what I'm going to do is probably address all the resolution pertaining to the transfer of surplus computers to various entities to get that, if you will, out of the way. 2293, there's a motion to approve by myself, seconded by Legislator Losquadro.

LEG. MONTANO:

I just had one question.

CHAIRMAN O'LEARY:

On the question of the motion, Legislator Montano.

LEG. MONTANO:

The Word of Life Ministries, I was just curious, looking at the Charter here, and someone brought it to my attention, is the Word of Life Ministries a not•for•profit corporation or religious corporation or both?

CHAIRMAN O'LEARY:

I believe they are all not for profits. They're all 501 Cs.

LEG. MONTANO:

Thank you.

CHAIRMAN O'LEARY:

Okay. On the question of 2293? Hearing none, all those in favor? Opposed? Abstain?
Approved unanimously. **(VOTE:5•0•0•0).**

**2294•04. Authorizing the transfer of eight surplus County Computers to
Riverhead High School Technology Department. (CARACCIOLO)**

CHAIRMAN O'LEARY:

Motion by myself, seconded by Legislator Losquadro. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0)**

CHAIRMAN O'LEARY:

We will move to •• or jump to, if you will 2330.

2330•04. Authorizing the transfer of two surplus County Computers to the Sachem Community Youth Services. (KENNEDY)

CHAIRMAN O'LEARY:

Motion by myself •• same motion, same second. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2331•04. Authorizing the transfer of three surplus County Computers to Victims Information Bureau of Suffolk, Inc. (KENNEDY)

CHAIRMAN O'LEARY:

Same motion, same second. On the question? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2332•04. Authorizing the transfer of four surplus County Computers to Hauppauge Educational Foundation. (KENNEDY)

CHAIRMAN O'LEARY:

Same motion, same second. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2333•04. Authorizing the transfer of one surplus County Computers to the William Floyd Community Summit. (O'LEARY)

CHAIRMAN O'LEARY:

Same motion, same second. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2334•04. Authorizing the transfer of one surplus County Computers to the South Country Community Conference. (O'LEARY)

CHAIRMAN O'LEARY:

Same motion, same second. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2335•04. Authorizing the transfer of two surplus County Computers to Yaphank Historical Society. (O'LEARY)

CHAIRMAN O'LEARY:

Same motion, same second. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2336•04. Authorizing the transfer of one surplus County Computers to

The Mastic Beach Property Owners. (O'LEARY)

CHAIRMAN O'LEARY:

Same motion, same second. Hearing no questions on the motion, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2337•04. Authorizing the transfer of one surplus County Computers to Lifeline Mediation. (O'LEARY)

CHAIRMAN O'LEARY:

Same motion, same second. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2338•04. Authorizing the transfer of two surplus County Computers to the sunrise Fund. (O'LEARY)

CHAIRMAN O'LEARY:

Same motion, same second. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2339•04. Authorizing the transfer of six surplus County Computers to the Girl Scouts of Suffolk County. (NOWICK)

CHAIRMAN O'LEARY:

Same motion, same second. On the motion, any question? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0).**

2340•04. Authorizing the transfer of two surplus County Computers to the National Council on Aging. (CARPENTER)

CHAIRMAN O'LEARY:

Same motion, same second. On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions? **Approved. (VOTE:5•0•0•0).**

2341•04. Authorizing the transfer of two surplus County Computers to Youth Enrichment Services. (CARPENTER)

CHAIRMAN O'LEARY:

Same motion, same second. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **Approved. (VOTE:5•0•0•0)**

CHAIRMAN O'LEARY:

We'll now go back to the regular order of the agenda.

2296. Authorizing the sale of surplus property sold at the November 30th and December 1st, 2004 auction pursuant to Local Law 13•1976 as per Exhibit A (Omnibus Resolution). (COUNTY EXEC)

CHAIRMAN O'LEARY:

Before there's a motion made on this particular resolution, does Mr. Zwirn or the County Attorney's Office wish to make any comment with respect to this? Or the Director of Real Estate for that matter?

MS. CAPUTI:

All I would add •• Legislator Caracciolo asked me the other day to comment, but we see no problem with you acting on this resolution at this time. So, you know, there's no problem with you moving this out of committee at this time.

CHAIRMAN O'LEARY:

And that is your opinion?

MS. CAPUTI:

Yes.

CHAIRMAN O'LEARY:

All right. Well, we have •• perhaps we have a difference of opinion with respect to this. It has been brought to our attention, we have received several communications from a law firm regarding some actions that took place at this particular auction with respect to his client.

And the concern we have is that there is possibly the distinct possibility of some litigation to be initiated with respect to this matter. So with that understanding, I, as the Chair, happen to think it's best to perhaps table this resolution for a period of time •• until such time as we have an opportunity perhaps in Executive Session to speak with the particular County officials or employees who, in fact, were present at this auction and took the action that was taken.

MS. CAPUTI:

Ms. Malafi is prepared to come over if I give her a call and speak to you in Executive Session since we're going to be going into Executive Session anyway.

CHAIRMAN O'LEARY:

Oh, we are?

MS. CAPUTI:

On another related •• I have a submission for you. I don't know if it's on the agenda. So I can go out and call her and have her come over, she is prepared to do that.

CHAIRMAN O'LEARY:

All right. I think perhaps the concern that we have or at least I have as the Chair is to find out under what authority and by whose direction this action did occur with respect to what did occur at the auction itself. And I think you are very familiar with what I speak of.

MS. CAPUTI:

Yes.

CHAIRMAN O'LEARY:

Mr. Zwirn.

MR. ZWIRN:

The only thing I would add, Mr. Chairman, is that the auction bought in almost \$14 million. So I would ask that •• you know, that's help to the budget, help to the taxpayers, and I would ask that they •• that you move on this as soon as possible, understanding your concerns.

I would just add that, you know, the County moves forward on things where we're going to get sued every day. And I think if we stopped and waited for a lawsuit before we move forward •• I

mean, moving forward judiciously, of course, I think we could be paralyzed. And I think the County Attorney has reviewed this, and I think we feel comfortable that we can move forward to get this approved. Maybe even •• if not, possibly get it discharged without recommendation so it gets before the full board, since we have •• we have two weeks before we get to the General Meeting, so we can bring it before the entire Legislature.

CHAIRMAN O'LEARY:

Well, I think until such time that those questions that I just raised become clarified with statements either from the County Attorney or the individuals that were involved in this particular action is clarified to us, I think that perhaps we should continue to table this particular resolution. I am keenly aware of the fact of the financial aspects of it and the money generated as a result of the auction. But there's a sense of course that perhaps more monies could have been generated if more of the public were involved in this particular process.

But be that as it may, I don't even want to go there at this particular point in time. But I think there's enough questions out there for us to be satisfied before we move forward with this initiative, and hopefully it will be in a very short period of time. Perhaps if the County Attorney can come over this morning to just clarify that for us. It still won't preclude us, of course, from tabling this and addressing it at the next cycle.

MS. CAPUTI:

Are you going to refrain from tabling it until she comes over?

CHAIRMAN O'LEARY:

No. I think we're going to table it.

MS. CAPUTI:

Okay.

CHAIRMAN O'LEARY:

I think we're going to table it because there are other matters that, frankly, I •• you know, I don't want to get into specifics now, but I certainly will in Executive Session.

MR. ZWIRN:

So we will have the County Attorney come over for the Executive Session this morning?

CHAIRMAN O'LEARY:

I would suggest •• I would suggest that you do that, yes.

MR. ZWIRN:

Thank you.

CHAIRMAN O'LEARY:

All right. On 2296, for the reasons stated, I'll make a motion to table, seconded by Legislator Kennedy. On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions?

LEG. MYSTAL:

I'm abstaining.

CHAIRMAN O'LEARY:

There's one abstention. 2296 is **TABLED. (VOTE:4•0•1•0)**

(Abstention; Legis. Mystal).

2316, Ms. Zielenski.

MS. ZIELENSKI:

Good morning.

CHAIRMAN O'LEARY:

Good morning. There are some new members of particular committee, and perhaps we should just, by way of understanding the various local laws with respect to the 13s and 16s and 72s, if you can just explain briefly just what that is as with the as of right, etcetera, which would enable us in the future to perhaps move along more expeditiously with respect to these issues.

MS. ZIELENSKI:

Certainly. 2316 is a Local Law 13, which is a direct sale or a sale to an adjacent owner designed specifically for those parcels that we have appraised for a value of less than \$20,000 that are authorized to be sold directly to an adjacent owner for a minimum bid of the said appraisal.

CHAIRMAN O'LEARY:

Which is under 20,000?

MS. ZIELENSKI:

Which is under 20,000.

CHAIRMAN O'LEARY:

And Local law 16s?

LEG. MYSTAL:

Would it be fair to say that thirteens are usually not buildable?

MS. ZIELENSKI:

Pardon me?

LEG. MYSTAL:

Would it be fair to say that most of the Local law 13s that we sell are not buildable?

MS. ZIELENSKI:

I think with a \$20,000 cap on our market today, we can assume it's not buildable.

CHAIRMAN O'LEARY:

And the Local law 16? That's before us too. I just want •• 13s, 16s and 72s if you will just explain that to the committee.

MS. ZIELENSKI:

Local Law 16 is an as of right redemption where proper paperwork and payment has been filed in a timely manner for the redemption of property that has been acquired by the County for tax default.

CHAIRMAN O'LEARY:

Although it doesn't appear before us today, a 72?

MS. ZIELENSKI:

A 72•H transfer is property that's being transferred under affordable housing to towns for use by certain not•for•profits to develop for affordable housing purposes.

CHAIRMAN O'LEARY:

Yes, Legislative Counsel.

MS. KNAPP:

Just to add very briefly to Legislator Mystal's question. The Local Law 13s, the deeds contain a covenant that makes it very clear that those properties can't be developed. So, you know, the answer is that they really can't. And just to expand one little bit, we sometimes do 72•Hs for road improvement purposes or for some other municipal purpose.

CHAIRMAN O'LEARY:

Okay. Any questions of the committee to the Director of Real Estate with respect to the various local laws that pertain to these transactions? Okay. Let's move on to the agenda then.

2316•04. Sale of County•owned real estate pursuant to Local law 13•1976, Michael H. Schaefer, Jr. and Antonia Schaefer, his wife. (COUNTY EXEC)

CHAIRMAN O'LEARY:

Motion by myself, seconded by Legislator Kennedy to approve and place on the Consent Calender.

LEG. MYSTAL:

They are not related to the Chair of the Party.

CHAIRMAN O'LEARY:

I'm glad you point that out, Legislator Mystal, although that thought didn't occur to me. There's a motion to approve and place on the Consent Calender. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0)**

2317•04. Sale of County•owned real estate pursuant to Local law 13•1976, Juan Carlos Donis. (COUNTY EXEC)

CHAIRMAN O'LEARY:

Motion by Legislator Montano, seconded by myself to approve and place on the Consent Calender. Any question on the motion? Hearing none, all those in favor? Opposed? Abstain? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0)**

2319•04. Authorizing the sale pursuant to Local Law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act Carra Lee Mysliwec. (COUNTY

EXEC)

CHAIRMAN O'LEARY:

Motion to approve by myself, seconded by Legislator Losquadro to and place on the Consent Calender. On the question of the motion? Hearing none, all those in favor? Opposed? Abstain? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0)**

2320•04. Authorizing the sale pursuant to Local law 13•1976, of real property acquired under Section 46 of the Suffolk County Tax Act Kohilakis Ocean LLC. (COUNTY EXEC)

CHAIRMAN O'LEARY:

I'll ask for explanation from Real Estate on that.

MS. ZIELENSKI:

An explanation of the transaction?

CHAIRMAN O'LEARY:

Yes, please.

MS. ZIELENSKI:

I have an old copy of the agenda which shows that this was originally filed under Local Law 16 in error and that it's been corrected to Local Law 13. This is a direct sale of property that was approved for \$7000 that was sold for 31,000.

CHAIRMAN O'LEARY:

Okay. It was appraised at 7000 and sold for 31?

MS. ZIELENSKI:

Yeah. Two people wanted it. So with direct sales, we deal with all of the property owners surrounding the property, and they have the opportunity to go through a mini auction for just that piece, and 31 was the winning bid.

CHAIRMAN O'LEARY:

And the size of this piece is about 50 by 100?

MS. ZIELENSKI:

I think that's correct.

CHAIRMAN O'LEARY:

What's the exact location of this? Fifty by 100, I believe it is •• 50 by 200.

LEG. MONTANO:

Question on this.

CHAIRMAN O'LEARY:

Yeah. Legislator Montano.

LEG. MONTANO:

Commissioner, the bid here •• these bids are sealed also or are these direct negotiations?

MS. ZIELENSKI:

These are done just like a mini auction.

LEG. MONTANO:

That would imply that they're sealed bids.

MS. ZIELENSKI:

No. Open bidding.

LEG. MONTANO:

Oh, open bidding. I'm sorry. I get it.

MS. ZIELENSKI:

The property is located south of the Expressway, sort of northwest from the airport.

CHAIRMAN O'LEARY:

The airport you refer to Islip, Mac Arthur?

MS. ZIELENSKI:

Islip, Mac Arthur Airport, and it's on Ocean Avenue County Road 93.

CHAIRMAN O'LEARY:

Ocean Avenue and 93?

MS. ZIELENSKI:

83.

CHAIRMAN O'LEARY:

83. Okay. All right. Legislator Kennedy.

LEG. KENNEDY:

Commissioner, I just have a quick question following up on what Counsel said before and what you referenced. We will •• the County will quick claim this to the successful bidder, but the deed will have the restriction in it that renders the parcel non buildable, does that also mean that this •• that there could not be application made more to adjoin, to expand, the adjoining lot? Well, again, I'm just ••

MS. ZIELENSKI:

I hate to make an unequivocal statement to that.

LEG. KENNEDY:

We're conveying now basically 31,000 determining that it's un buildable, does it remain in that configuration? That's all.

MS. ZIELENSKI:

As far as I know. It has •• the deed will have restrictive covenants to prevent any further

development of the land.

LEG. KENNEDY:

I guess that's pretty self-evident. Okay.

CHAIRMAN O'LEARY:

Okay. Any other questions on 2320? There's motion to approve by myself, seconded by Legislator Kennedy. Hearing no questions on the motion, all those in favor? Opposed?

APPROVED and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0)**

CHAIRMAN O'LEARY:

Thank you very much. I don't believe there are any other real estate issues on the agenda. Ms. Zielenski, I think perhaps you should stick around for the Executive Session. I would like to have you present in there with respect to some of the questions. Thank you very much.

**2328•04. Creating a Geographical information Systems Advisory Committee.
(KENNEDY)**

LEG. KENNEDY:

I'll make a motion to table.

CHAIRMAN O'LEARY:

You will? Under the circumstances, I believe that's very magnanimous.

LEG. KENNEDY:

Thank you, Mr. Chair. I appreciate that.

CHAIRMAN O'LEARY:

As a matter of fact, Legislator Mystal will even •• Legislator Mystal is going to second that motion to table. There's a motion by Legislator Kennedy, seconded by Legislator Mystal to table 2328. On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0).**

I believe that's the end of the agenda. Is there anything else before we go •• thank you very much. 2320 I failed to state is placed on the Consent Calender. Motion to approve and place on the Consent Calender as well. All right. I don't see any other business on the agenda. Is there anyone here who wishes to say anything before we take a recess to go into Executive Session? Is the County Attorney here,

Mr. Zwirn?

MR. ZWIRN:

She is on her way. In a moment.

CHAIRMAN O'LEARY:

Do we have some sort of time? I mean is she physically crossing the street?

MS. CAPUTI:

She is coming. I spoke with her myself, and she is getting in her car.

CHAIRMAN O'LEARY:

Okay. Do you have other issues before us?

MS. CAPUTI:

Yes.

CHAIRMAN O'LEARY:

Okay. Let's then go into Executive Session in the conference room. Ms. Zielenski, if you will, just stick around until the County Attorney gets here to come into Executive Session with respect to the issue involving the auction sales. Thank you. We are in recess.

(* AN EXECUTIVE SESSION WAS HELD FROM 10:47 A.M. UNTIL 11:23 A.M.*)

CHAIRMAN O'LEARY:

Okay. For the record, we're out of Executive Session. The relevant resolution that was tabled in committee will continue to be tabled. I'll entertain a motion to adjourn. Legislator Mystal, seconded by myself. Ways and Means is adjourned.

(* THE MEETING WAS ADJOURNED AT 11:23 A.M. *)

_ _ DENOTES BEING SPELLED PHONETICALLY